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Atty. Dkt. No. YOR920010137US1

IN THE CLAIMS

1. (Currently Amended) A method for automating contract negotiation between a plurality of parties, each of the plurality of parties having at least one computing system coupled to a communications network and one or more applications running thereon, the method comprising the steps of:

establishing a common negotiation protocol that specifies negotiation operations, the negotiation protocol being agreed upon by the plurality of parties prior to the contract negotiation;

conducting a pre-negotiation between the plurality of parties to form a negotiation meta contract to control the contract negotiation, in accordance with the negotiation protocol, wherein the meta contract is formed at least in part from information provided by at least one party of the plurality of parties in at least one electronic document, prior to the negotiation;

communicating a request to negotiate; and

conducting an automatic negotiation, according to the negotiation meta contract, between the one or more applications of each of the plurality of parties,

wherein each of the plurality of parties maintains a contract state of the negotiation.

2. (Cancelled)

3. (Original) The method of claim 1, further comprising the step of performing at least one sub negotiation.

4. (Original) The method of claim 1, further comprising the step of forming an electronic commerce contract.

5. (Currently Amended) The method of claim 1, wherein one of the plurality of parties is a service provider having a service application on a server computer system and another of the plurality of parties is a service requester having a requester

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application on a client computer system.

6. (Original) The method of claim 1, further comprising the step of providing for a suspend-negotiation action to take place to enable human intervention during the negotiation.

7. (Cancelled)

8. (Currently Amended) A method for conducting a negotiation between a plurality of parties, each of said plurality of parties having a computer system coupled to a communication network and one or more applications running thereon, the method comprising the steps of:

providing a specification of machine-executable rules of negotiation for the plurality of parties for generating at least one contract, the specification being agreed upon by the plurality of parties prior to conducting the negotiation; and

conducting a pre-negotiation between the plurality of parties to form a starting state for a contract in accordance with the specification, wherein the starting state is formed at least in part from information provided by at least one of the plurality of parties party in at least one electronic document, prior to the negotiation, the at least one electronic document being selectable from one of: a previous contract, a publicly defined template, and a template defined prior to the negotiation by one of the plurality of parties.

wherein each of the plurality of parties maintains a contract state of the negotiation.

9. (Currently Amended) The method of claim 8, wherein the starting state is selectable from a set of profiles published in a repository by at least one of the plurality of parties prior to the negotiation.

10. (Previously Presented) The method of claim 8, wherein the publicly defined template is an electronic commerce business-to-business purchasing standard.

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11. (Original) The method of claim 9, wherein the repository is a service broker public registry.

12. (Currently Amended) A method for conducting an automatic negotiation between a plurality of parties, each of said plurality of parties having a computer system coupled to a communication network and one or more applications running thereon, the method comprising the steps of:

establishing a common negotiation protocol that specifies negotiation operations, the negotiation protocol being agreed upon by the plurality of parties prior to the negotiation;

conducting a pre-negotiation between the plurality of parties to form a template prior to the negotiation in accordance with the negotiation protocol, wherein the template is formed at least in part from information provided by at least one of the plurality of parties party in at least one electronic document, prior to the negotiation, wherein the template contains business logic for performing a negotiation electronically;

registering the business logic, prior to the negotiation, with a server accessible by one or more parties; and

implementing the business logic in a negotiation conducted automatically between computer systems over the communication network,

wherein each of the plurality of parties maintains a contract state of the negotiation.

13. (Original) The method of claim 12, wherein the template is registered with the server prior to conducting a negotiation automatically between computer systems over the computer network.

14. (Original) The method of claim 12, wherein the server maintains negotiation logic for processing a negotiation request that is customized to the contract template.

15. (Currently Amended) A method for conducting a negotiation between a plurality

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of parties, each of said plurality of parties having a server coupled to a communication network and one or more applications running thereon, comprising the steps of:

providing a specification of machine-executable rules of negotiation for the plurality of parties for generating at least one contract, the specification being agreed upon by the plurality of parties prior to conducting the negotiation;

enabling an automatic negotiation to take place between the servers in accordance with the specification of machine-executable rules; and

conducting a pre-negotiation between the plurality of parties to form a meta contract for controlling a negotiation process in accordance with the specification, wherein the meta contract is formed at least in part from information provided by at least one of the plurality of parties party in at least one electronic document, prior to the negotiation.

wherein each of the plurality of parties maintains a contract state of the negotiation.

16. (Original) The method of claim 15, wherein the meta contract defines at least one of: general information pertaining to the formation of a contract; roles and participants in the negotiation; a delivery channel; a transport protocol; a document exchange protocol; a negotiation protocol; sequencing rules; and policy constraints.

17. (Original) The method of claim 16, wherein the negotiation protocol specifies actions to be performed in a negotiation, including at least one of: making an offer; rejecting an offer; making a counter offer; and accepting an offer or counter offer.

18. (Currently Amended) The method of claim 17, wherein the negotiation protocol provides a suspension request to be sent to at least one of the servers for [[the]] a suspension of a negotiation to allow human intervention

19. (Currently Amended) The method of claim 17, wherein the negotiation protocol provides for [[the]] a resumption of an automatic negotiation upon termination of human intervention.

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20. (Original) The method of claim 18, wherein the suspension request specifies a suspension time interval in which human intervention is enabled.

21. (Currently Amended) The method of claim 20, wherein the ~~server~~ at least one of the servers that receives the suspension request waits until the suspension time interval expires before it takes further action.

22. (Original) The method of claim 16, wherein the negotiation protocol specifies actions to be performed in a negotiation, including at least one of: starting a sub negotiation; committing a sub negotiation; accepting a sub negotiation, and aborting a sub negotiation.

23. (Currently Amended) The method of claim 15, wherein at least one of the plurality of parties further has a client application for performing at least one action of the meta contract by a human operator.

24. (Original) The method of claim 23, wherein the client application has a graphical user interface.

25. (Original) The method of claim 15, wherein the meta contract contains a complete set of rules for determining the validity of meta contract actions invoked during a negotiation.

26. (Original) The method of claim 15, wherein the meta contract invokes at least one business specific method for determining the validity of a meta contract operation.

27. (Original) The method of claim 15, wherein the meta contract invokes at least one business specific method for determining the response to a meta contract operation.

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28. (Currently Amended) A method for conducting a negotiation between a plurality of parties, each of said plurality of parties having a computer system coupled to a communication network and one or more applications running thereon, comprising the steps of:

providing a specification of machine-executable rules of negotiation for the plurality of parties for generating at least one contract, the specification being agreed upon by the plurality of parties prior to conducting the negotiation;

conducting a pre-negotiation between the plurality of parties to form a meta contract to control the negotiation, in accordance with the specification, wherein the meta contract is formed at least in part from information provided by at least one of the plurality of parties party in at least one electronic document, prior to the negotiation; and

enabling an automatic negotiation to take place between the plurality of parties in accordance with the specification of machine-executable rules;

wherein at least one of the ~~negotiating~~ plurality of parties is an intermediary for facilitating the automatic negotiation,

wherein each of the plurality of parties maintains a contract state of the negotiation.

29. (Currently Amended) The method of claim 28, wherein at least one of the plurality of parties delegates at least part of the negotiation process to a broker.

30. (Currently Amended) A computer program product in a computer readable medium in a first computer system for conducting a negotiation between a plurality of parties, comprising:

first instructions for conducting a pre-negotiation between the plurality of parties to form a specification of machine-executable rules of negotiation for the plurality of parties for generating at least one contract, the specification being agreed upon by the plurality of parties prior to conducting the negotiation, wherein the specification is formed at least in part from information provided by at least one of the plurality of parties party in at least one electronic document, prior to the negotiation;

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second instructions for enabling an automatic negotiation to take place between ~~a party~~ a first one of the plurality of parties located at the first computer system and a ~~party~~ a second one of the plurality of parties located at a second computer system in accordance with the specification of machine-executable rules; and

third instructions for negotiating a contract automatically between the first one of the plurality of parties and the second one of the plurality of parties,

wherein first one of the plurality of parties and the second one of the plurality of parties maintains a contract state of the negotiation.

31. (Currently Amended) A method of conducting a negotiation over a data communication network between a service provider and a service requester, comprising the steps of:

establishing, by the service provider and the service requester, a common negotiation protocol that specifies negotiation operations, the negotiation protocol being agreed upon by the service provider and the service requester prior to the contract negotiation;

conducting a pre-negotiation between the service provider and the service requester to form a negotiation meta-contract to control the negotiation, in accordance with the negotiation protocol, wherein the meta contract is formed at least in part from information provided by at least one of the service provider and the service requester in at least one electronic document, prior to the negotiation;

receiving, at the service provider, a request to negotiate from the service requester;

responsive to the request to negotiate, automatically negotiating with the service requester by the service provider in accordance with the negotiation meta-contract,

wherein each of the service provider and the service requester maintains a contract state of the negotiation.

32. (Original) The method of claim 31, wherein the step of automatically negotiating with the service requester by the service provider comprises one of: sending an offer, sending an acceptance, sending a counter offer, sending a rejection, aborting the

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negotiation, suspending the negotiation, and committing the negotiation.

33. (Currently Amended) A method of conducting business over the Internet, wherein parties negotiate contractual terms between two data communication network components, the method comprising the steps of:

providing a specification of machine-executable rules of negotiation for generating at least one contract, the specification being agreed upon by the parties prior to negotiating the contractual terms;

conducting a pre-negotiation between the parties to form a meta contract to control the negotiating, in accordance with the specification, wherein the meta contract is formed at least in part from information provided by at least one party of the parties in at least one electronic document, prior to the negotiation; and

originating a negotiation at a first party one of the parties in accordance with the rules of negotiation,

wherein each of the parties maintains a contract state of the negotiation.

34. (Currently Amended) An article of manufacture for automating contract negotiation between a plurality of parties, comprising a machine readable medium containing one or more programs which when executed implement the steps of:

communicating, in a preliminary step, a common negotiation protocol that specifies negotiation operations, the negotiation protocol being agreed upon by the plurality of parties prior to the contract negotiation;

conducting a pre-negotiation between the plurality of parties to form a negotiation meta contract to control the contract negotiation, in accordance with the negotiation protocol, wherein the meta contract is formed at least in part from information provided by at least one party of the plurality of parties in at least one electronic document, prior to the negotiation;

communicating a request to negotiate; and

conducting an automatic negotiation, according to the negotiation protocol, between the one or more applications of each of the plurality of parties,

wherein each of the plurality of parties maintains a contract state of the

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negotiation.